# National Republican Senatorial Committee RECEIVED 425 Second Street NE Westign 13 JUN = 6 AM 9: 22

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May 29, 2013

Ms. Kaitlin Eger Senior Campaign Finance Analyst Federal Election Commission 999 E Street, NW Washington, DC 20463

Dear Ms. Eger:

This letter is in response to your inquiry dated April 26, 2013 in which you reference the Amended October Monthly Report (9/1/12 – 9/30/12), submitted 12/5/12.

#### Schedule A – Donors with addresses outside of the United States

The NRSC has reviewed the donors and has confirmed that all are United States citizens living abroad. Therefore, their donations were permissible and were reported properly.

### <u>Schedule B – Travel Reimbursements</u>

The NRSC has reviewed the relevant transactions and the regulations governing disbursement reporting and believes that all such transactions were properly reported pursuant to 11 CFR §104.9(a) and 11 CFR §104.9 (b). Therefore, no amendment is necessary.

#### Schedule E

With respect to all of the expenditures listed on attachment pages 2 and 3, the NRSC reported the date of payment when it filed its October Monthly Report. However, pursuant to 11 CFR §104.4, the corresponding 48-hour notices were filed based on the date the communications were publicly disseminated, and all of these 48-hour notices were timely filed.

Specifically, the September 6, 2012 payment of \$224,513.51 to Strategic Media Services for a communication opposing Jon Tester reported on page 3456 of the October Monthly Report was for a communication disseminated on September 14, 2012.

The September 6, 2012 payment of \$198,936.55 to Nebo Media for a communication opposing Mary Kathryn Heitkamp reported on page 3457 of the October Monthly Report was also for a communication disseminated on September 14, 2012.

The September 10, 2012 payments of \$147,024.81 and \$147,024.82 to Strategic Media Services for communications opposing Angus King and Cynthia Dill and reported on pages 3459 and 3460 of the October Monthly Report, respectively, were for communications disseminated on September 12, 2012.

The September 12, 2012 payments of \$224,287.83 to Strategic Media Services and \$194,461.12 to Nebo Media for communications opposing Jon Tester and Mary Kathryn Heitkamp, respectively, and reported on pages 3461 and 3462 of the October Monthly Report were for communications disseminated on September 21, 2012.

The September 12, 2012 payment of \$294,799.90 to Strategic Media Services for a communication opposing Angus King and reported on page 3460 of the October Monthly Report was for a communication disseminated on September 22, 2012.

The September 20, 2012 payments of \$224,231.79 to Strategic Media Services and \$203,313.51 to Nebo Media for communications opposing Jon Tester and Mary Kathryn Heitkamp, respectively, and reported on pages 3470 and 3471 of the October Monthly Report were for communications disseminated on September 28, 2012.

The September 27, 2012 payments of \$133,422.57, \$186,247.76, and \$692,683.44 to Strategic Media Services for communications opposing Angus King, Jon Tester and Tammy Baldwin reported on pages 3476, 3477, and 3480 of the October Monthly Report, respectively, were for communications disseminated on October 3, 2012.

The September 27, 2012 payments of \$173,663.17 and \$460,149.58 to Nebo Media for Communications opposing Mary Kathryn Heitkamp and Rochelle Berkley respectively and both reported on page 3479 of the October Monthly Report were for communications disseminated on October 3, 2012.

The September 28, 2012 payment of \$15,797.50 to Strategic Media Services for a communication opposing Tammy Baldwin and reported on page 3481 of the October Monthly Report was for a communication disseminated on October 3, 2012.

For each transaction outlined above, the 48-hour notice was timely filed based on the communication's date of dissemination. The corresponding timely filed notices are attached for your review.

With regard to the September 20, 2012 payment of \$34,048 to Nebo Media for the production of a communication opposing Mary Kathryn Heitkamp reported on page 3470 of the October Monthly Report, the communication was disseminated on September 20, 2012 and the expenditure was properly reported on the NRSC's 48-hour notice filed on September 21, 2012. The timely filed notice is attached for your review.

Regarding the expenditure of \$24,250 payable to Strategic Media Services (attachment page 4), the NRSC did not file a 48-hour notice as the communication with which the expenditure was associated was not publicly disseminated and therefore no notice was required pursuant to 11 CFR §104.4. As such, the NRSC has amended its October Monthly Report to report these expenditures as operating expenditures on Line 21(b) and has removed them from Schedule E.

The expenditures of \$4,800 payable to Nebo Media and expenditures of \$2,400 and \$4,800 payable to Strategic Media Services (attachment page 4), were payments to produce online web advertisements that did not contain express advocacy pursuant to Commission regulations and therefore did not meet the definition of an independent expenditure under 11 CFR §100.16. Accordingly, no 48-hour notices were required under 11 CFR §104.4. The NRSC has amended its October Monthly Report to report these expenditures as operating expenditures on Line 21(b) and has removed them from Schedule E.

With regard to the expenditures of \$12,992.28 and \$108,005.22 payable to Nebo Media, and the expenditures of \$26,614.58, \$16,271.43, \$33,228.57, \$29,972.76, and \$62,128.81 payable to Strategic Media Services (attachment page 4), due to a miscommunication between the NRSC and its independent expenditure unit, the NRSC's normal practice of filing 48-hour notices was not followed. These expenditures were subsequently disclosed on the NRSC's October Monthly Report and the NRSC has taken measures to ensure that this unintentional oversight is corrected.

#### Schedule F

For the American Express payment transaction on Schedule F, we have reviewed the live transaction and the memo entries itemized in support of the transaction and have determined that the total amount of the memo transactions is equal to the amount of the live credit card payment. Please note that all memo entries on Schedule F of this report correspond to the September 30, 2012 payment to American Express on Page 3482. Further, all information required by the Schedule F is included with each memo entry. Accordingly, no amendment to the report is necessary.

Sincerely,

Jay Banning
Assistant Treasurer

FAX NO. : 2026754703

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Under penalty of perjury I certify that the indexith, or at the request or suggestion of, any coarty committee) any political party committee	andidate or autho	tures reported herein were rized committee or agent of	not made in if either, or (	coopera	tion, consulta	ation, or concert is not a political
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DANA K. MCCALLUM SUFERINTENDENT

HART SENATE OFFICE BUILDING SUITE 232 WASHINGTON, DC 20510-7116 PHONE: (202) 224-0322

## United States Senate

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